

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	15/08/18
Planning Development Manager authorisation:	AN	21/8/18
Admin checks / despatch completed	AN	28/8/18

AK

Application: 18/01051/LBC **Town / Parish:** Great Bentley Parish Council

Applicant: Mr & Mrs H Fairbanks

Address: Pond House The Green Great Bentley

Development: Proposed single storey extensions and internal alterations.

1. Town / Parish Council

Great Bentley Parish Council Great Bentley Parish Council Planning Committee reviewed this application on 2nd August 2018 and resolved to offer no objection

2. Consultation Responses

N/A

3. Planning History

TPC/13/87	Repollard Lime tree	Current	18.06.1987
TPC/96/10	Repollard Lime tree	Current	21.03.1996
99/00568/TCA	Reduce eucalyptus by 40-50%, repollard Lime tree back to original pollarding cuts, reduce and shape 1 Mountain ash by 40%	Approved	17.05.1999
02/01773/LBC	Demolition of existing garage and erection of pitch roof garage and new entrance gate/walling and drive way	Approved	12.12.2002
02/01774/FUL	Demolition of existing garage and erection of pitch roof garage and new entrance gate/walling and drive way	Approved	12.12.2002
03/01154/TCA	Fell Maple tree in front driveway	Refused	01.07.2003
04/00455/TPO	Reduce and re-shape 1 Sycamore by 30%.	Approved	26.03.2004
04/00456/TCA	1 Beech left hand side of boundary - Reduce and remove lower	Approved	26.03.2004

	branches only. 1 Sycamore rear of garage - Remove lower branches reduce crown by up to 30%. 1 Eucalyptus rear of house - Reduce branch by 40%, reduce tree by 15%. 1 Lime - re-pollard.		
07/00884/TCA	1 No. Eucalyptus - fell	Approved	02.07.2007
09/00055/FUL	Ground floor extension to form garden room and formation of en- suite to first floor bedroom.	Refused	17.03.2009
09/00056/LBC	Ground floor extension to form garden room and formation of en- suite to first floor bedroom.	Refused	17.03.2009
10/00253/FUL	Ground floor extension to form garden room.	Refused	14.04.2010
10/00254/LBC	Ground floor extension to form garden room.	Refused	14.04.2010
11/01237/FUL	Replacement single storey rear extension and alterations. New garden wall and gates.	Approved	21.12.2011
11/01238/LBC	Replacement single storey rear extension and alterations. New garden wall and gates.	Approved	21.12.2011
18/01050/FUL	Proposed single storey extensions.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN22 Extensions or Alterations to a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PPL9 Listed Buildings

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The application relates to a Grade II Listed Building known as Pond House, which is located in The Green within the parish of Great Bentley. The character of the surrounding area is relatively urban, with a number of residential and commercial properties to the north and south. To the east is the Great Bentley Green, whilst further to the west is a large area of agricultural land. There are a number of other Listed Buildings in close proximity, notably 'Palfreymans', adjacent to the west, and 'St Mary's Church', a Grade I Listed Building further out to the west. The site also falls within the Great Bentley Conservation Area.

The building's listing is as follows;

House, now 3 dwellings. C17 or earlier with later alterations and additions. Timber framed, painted brick faced, parapet verges. Red plain tiled roof. 4 red brick chimney stacks. 2 storeys. Central band. A long building standing back from a small pond. 7 window range of small paned vertically sliding sashes with glazing bars, ground floor windows alternate with three 6 panelled doors, that to right with simple fluted surround. Central and left doors with reveal panels, fluted surrounds, moulded friezes, patera and flat canopies. Probably RCHM 6.

Proposal

This application seeks planning permission for the following works:

- o Single storey rear extension to replace the existing utility room, to be used as a breakfast/kitchen area;
- o Single storey rear extension to convert the existing modern porch addition into a boot room, WC and storage area;
- o Relocation of the modern rear stairwell, which was a Victorian addition. It is currently located within the eastern side of the kitchen, and is proposed to be relocated to the western side; and
- o Removal of corridor partition and modern panelling to the ground floor hall and kitchen (subject to verification of the frame).

The application is in conjunction with 18/01050/FUL.

Assessment

The only consideration as part of this application is the above mentioned amendments on the character, appearance and historic fabric of the listed building.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is retained by draft

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Paragraph 196 of the Framework adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 189 of the Framework also requires the submission of a Heritage Statement, or any other means of describing the significance of the heritage asset, including any contribution made by their setting. The Heritage Statement should be of a level of detail proportionate to the asset's importance. A detailed Heritage Statement has been submitted with the application. The Heritage Statement outlines the history of the Listed Building, including a useful floor plan outlining the phases of development on the building, rationale behind the proposals and justifies the alterations from a heritage perspective.

The proposed works will see a replacement rear extension to the existing utility room that was built as an addition to the original building approximately 1860 and later, mid to late C20th. Further internal works include the relocation of the rear stairwell and removal of corridor partition and modern panelling to the hall and kitchen. The changes proposed are relatively minor and predominantly to more modern elements of the building, and will preserve its historic characteristics. Therefore, the impact to the character of the Listed Building is not considered to be significant enough to warrant refusal.

Conclusion

The impact of the proposed works will be minor and beneficial, will assist in the long-term preservation of the asset, and will not detrimentally affect the building's special architectural and historic interest and significance.

The scope and strategy of the proposed works are considered commensurate and appropriate to the building's value as a grade II designated heritage asset and in accordance with a sustainable approach to conservation, as outlined within the NPPF and local planning policy.

It is concluded that the works, therefore, accord with national and local planning policies and conservation and wider heritage principles. Approval of this proposal would enhance the listed building and represents compliance with the duty within the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, to protect and enhance the special character and setting of the listed building.

Other Considerations

Great Bentley Parish Council has no objection.

No further letters of representation have been received.

6. Recommendation

Approval - Listed Building Consent

7. Conditions

- 1 The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 01, 02, 04, 05B, the document titled 'Historic Building Statement', the untitled Site Location Plan and the untitled Block Plan.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development unless otherwise agreed, in writing, at a later date with the Local Planning Authority.

Reason - To ensure materials are of a very high quality to respect the building and its setting and to also match the existing materials in all respects.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.